

State of Wisconsin



2015 Assembly Bill 574

Date of enactment: **February 4, 2016**
Date of publication*: **February 5, 2016**

2015 WISCONSIN ACT 144

AN ACT to amend 48.396 (3) (b) 1., 48.396 (3) (c) 1r., 938.396 (2m) (b) 1. and 938.396 (2m) (c) 1r. of the statutes; relating to: the disclosure of electronic juvenile court records to a county department of human services or social services for purposes of providing intake and dispositional services.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.396 (3) (b) 1. of the statutes is amended to read:

48.396 (3) (b) 1. The court shall make information relating to proceedings under this chapter that is contained in the electronic records of the court available to any other court assigned to exercise jurisdiction under this chapter and ch. 938, a municipal court exercising jurisdiction under s. 938.17 (2), a court of criminal jurisdiction, a person representing the interests of the public under s. 48.09 or 938.09, an attorney or guardian ad litem for a parent or child who is a party to a proceeding in a court assigned to exercise jurisdiction under this chapter or ch. 938 or a municipal court, a district attorney prosecuting a criminal case, or the department, or a county department under s. 46.215, 46.22, or 46.23, regardless of whether the person to whom the information is transferred is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created. The director of state courts may use the circuit court automated information systems established under s. 758.19 (4) to make information contained in the electronic records of the court available as provided in this subdivision.

SECTION 2. 48.396 (3) (c) 1r. of the statutes is amended to read:

48.396 (3) (c) 1r. The department or a county department under s. 46.215, 46.22, or 46.23 shall keep any information made available to the department or that county department under par. (b) 1. confidential and may use or allow access to that information only for the purpose of providing services under s. 48.06, 48.067, 48.069, 938.06, 938.067, or 938.069. The department or that county department may allow that access regardless of whether the person who is allowed that access is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created.

SECTION 3. 938.396 (2m) (b) 1. of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

938.396 (2m) (b) 1. The court shall make information relating to a proceeding under this chapter that is contained in the electronic records of the court available to any other court assigned to exercise jurisdiction under this chapter and ch. 48, a municipal court exercising jurisdiction under s. 938.17 (2), a court of criminal jurisdiction, a person representing the interests of the public under s. 48.09 or 938.09, an attorney or guardian ad litem for a parent or child who is a party to a proceeding in a court assigned to exercise jurisdiction under this chapter

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

or ch. 48 or a municipal court, a district attorney prosecuting a criminal case, a law enforcement agency, the department of children and families, ~~or~~ the department of corrections, or a county department, regardless of whether the person to whom the information is disclosed is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created. The director of state courts may use the circuit court automated information systems established under s. 758.19 (4) to make information contained in the electronic records of the court available as provided in this subdivision.

SECTION 4. 938.396 (2m) (c) 1r. of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

938.396 (2m) (c) 1r. The department of children and families ~~or~~, the department of corrections, or a county

department shall keep any information made available to that department or county department under par. (b) 1. confidential and may use or allow access to that information only for the purpose of providing services under s. 48.06, 48.067, 48.069, 938.06, 938.067, or 938.069. That department or county department may allow that access regardless of whether the person who is allowed that access is a party to or is otherwise involved in the proceedings in which the electronic records containing that information were created.

SECTION 5. Effective date.

(1) DISCLOSURE OF ELECTRONIC JUVENILE COURT RECORDS TO COUNTY DEPARTMENTS. This act takes effect on January 1, 2016, or on the day after publication, whichever is later.